

REMARKS

Claims 1-20 are now pending in the application. Of these pending claims, Claims 1-20 stand rejected. Minor amendments have been made to the specification and claims to simply overcome the objections to the specification and rejections of the claims under 35 U.S.C. § 112. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

DOUBLE PATENTING

Claims 1-20 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-11 of U.S. Patent No. 6,655,718 in view of Gillespie et al. (U.S. Patent No. 5,992,884). The Examiner's attention is directed to the signed enclosed Terminal Disclaimer which overcomes the double patenting rejection.

Applicant directs the Examiner's attention to the enclosed Assignment. Applicant was under a duty to assign both the parent and the instant application at the time of conception.

DRAWINGS

The drawings stand objected to for certain informalities. Applicant has attached revised drawings for the Examiner's approval. In the "Replacement Sheet," element number 17 has been added as required.

SPECIFICATION

The specification stands objected to for certain informalities. Applicant has amended the specification according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-6, 8-11, and 18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. The Examiner's attention is directed to the claim amendments which overcome the Examiner's objections.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gillespie et al. (U.S. Pat. No. 5,992,884) in view of Ziebarth et al. (DE 40 01 119 A1) and Takada (U.S. Pat. No. 4,811,912).

Applicant's invention is designed to protect and to restrain a prisoner in the back of a police vehicle, while providing a restraint system which is easily usable by a police officer. In this regard, the specific configuration of the placement of the restraint system components and particularly the position of the retractor allows the police officer to place the prisoner in the back seat of a police vehicle, and buckle the prisoner without the officer entering the vehicle. This in itself is a large improvement over police vehicle restraint systems current in use, which are often not used because of the risks caused by uncooperative prisoners.

Additionally, the invention as claimed utilizes a seat belt retractor which includes a mode switching mechanism capable of changing the mode of operation of the retractor between an automatic locking retractor mode and an emergency locking retractor mode in response to an amount of seat belt webbing extracted from the retractor. Retractors having this mode switching capability have been used in the past to restrain a child seat in the back of a vehicle.

When in the automatic locking retractor mode, the retractor pulls the webbing into the retractor's spool without allowing the webbing to be extracted. Effectively, this pulls the prisoner into the seat and does not allow the prisoner to move away from the seat unless released by the police officer. Further, if a prisoner struggles, the prisoner is pulled tighter into the vehicle seat. Additionally, the spring tension of the automatic locking retractor mode allows the prisoner to comfortably sit in the seat while being restrained and protected from crash induced injuries. There is simply no motivation or suggestion to combine the references to place an automatic locking retractor into a police vehicle to restrain AND protect a prisoner. Further, there is certainly is no motivation to combine the references to have a police vehicle with first and second coupling positions configured to mate with a seat belt tongue where the retractor is configured to resist movement of the occupant chest while the seat belt tongue is in the second location and the retractor is in the automatic locking retractor mode. As such, rejection under 35 U.S.C. § 103(a) is improper.

Furthermore, the Examiner's attention is respectfully directed to the response to the Office Action dated April 14, 2003 of the parent case to the instant application. This

response to the Office Action overcame the exact art cited in the Office Action dated December 2, 2002 of the parent case.

CHANGE OF CORRESPONDENCE ADDRESS


Applicant respectfully requests that the correspondence address for this application be updated to reflect the "Change of Correspondence Address - Application" originally submitted on October 25, 2004 (copy enclosed).

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is requested to telephone the undersigned at (248) 641-1243.

Respectfully submitted,

Dated: April 25-2006

By: 
Christopher A. Eusebi, Reg. No. 44,672

C.E.E. RESTRAINT SYSTEMS, INC.
2138 WOODROW WILSON
West Bloomfield Hills, Michigan 48324
(248) 641-1243
CAE/smb

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheet of drawings includes changes to Figure 2.

The attached "Replacement Sheet," which includes Figure 2, replaces the original sheet including Figure 2.

Attachment: Replacement Sheet 2 of 7